

Attorney's Docket No.: 10559-887001/P17697

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REMARKS

Claims 1-8, 18, and 20-25, 27-28 are pending. Claims 1 and 27 are in independent form.

In the correspondence mailed October 4, 2006, claims 1-8, 18 and 20 were indicated as allowable. Applicant acknowledges the indication of patentable subject matter with appreciation.

Claims 21-26 and 27-28 were withdrawn from prosecution as allegedly being directed to a non-elected invention. Applicant was given one month or thirty days to cancel claims 21-28 or take other appropriate action.

Claim 26 has been canceled.

Claim 21 has been amended to depend from allowable claim 1. Claim 21 thus requires all of the limitations of allowable claim 1. Accordingly, Applicant requests that claim 21-23 be rejoined to consideration and allowed at least on the same grounds that claim 1 stands allowed.

As for claims 24, 25, 27, and 28, the Restriction Requirement is based on the contention that the subject matter of Group I (i.e., claims 1-8, 18 and 20) is related to the subject matter of Group III (i.e., claims 27-28) as subcombinations that are usable together in a single combination.

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Applicant respectfully disagrees. Group I is a set of method claims. Group III is a set of system claims. Applicant is at a loss to understand how a system can be a subcombination of a method, or vice-versa. On this basis alone, Applicant respectfully submits that the Restriction Requirement is improper and respectfully requests that it be withdrawn.

Moreover, claim 27 has been amended to recite an inner pellicle frame that has a coefficient of thermal expansion that is greater than or equal to a coefficient of thermal expansion of an outer pellicle frame. Claims 1 and 27 are thus understood to be related as a process of making (claim 1) and a product made by the process (claim 27). According to M.P.E.P. § 806.05(f), such claims can be shown to be distinct inventions if either or both of the following can be shown: (A) that the process as claimed is not an obvious process of making the product and the process as claimed can be used to make another materially different product; or (B) that the product as claimed can be made by another materially different process.

However, the present Restriction Requirement lacks even a bald assertion to this effect. Should the Restriction Requirement be made final, Applicant respectfully requests that the Examiner identify a materially different product or process, as required by M.P.E.P. § 806.05(f).

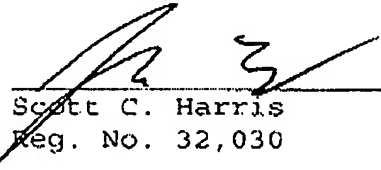
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As for claims 24 and 25, they have been amended to depend from claim 27 and thus should be rejoined for the same reasons as claim 27.

Applicant asks that all claims be allowed. No fees are believed due at this time. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 6, 2006

  
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